

LOCATION-CUSTODY

**Eastern District of Washington
U.S. District Court (Yakima)
CRIMINAL DOCKET FOR CASE #: 1:17-mj-04013-MKD All Defendants**

Case title: USA v. Al-Thani

Date Filed: 02/02/2017

Other court case number: CR15-0001MJP Western District of
Washington

Assigned to: Magistrate Judge
Mary K. Dimke

Defendant (1)**Bandir Al-Thani**

represented by **Federal Public Defender – YAK**
Federal Defenders – YAK
Eastern Washington
306 East Chestnut Avenue
Yakima, WA 98901
Email: mary_dehnhoff@fd.org
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition**Highest Offense Level
(Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level
(Terminated)**

None

Complaints

Supervised Release Petition

Disposition**Plaintiff**

USA

represented by **Ian Lloyd Garriques**

U S Attorney's Office – YAK

402 E Yakima Avenue

Suite 210

Yakima, WA 98901–2760

509–454–4425

Fax: 509–249–3297

Email: ian.garriques@usdoj.gov**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

Date Filed	#	Page	Docket Text
02/02/2017	<u>1</u>	3	RULE 5 DOCUMENTS RECEIVED from Western District of Washington as to Bandir Al–Thani (1): Supervised Release Petition and Arrest Warrant. (PH, Case Administrator) (Entered: 02/02/2017)
02/02/2017	3		NOTICE OF HEARING – By Court as to Bandir Al–Thani (1). Text entry; no PDF attached. Rule 5 Initial Appearance – Supervised Release Petition set for 2/3/2017 at 10:00 AM in Yakima Courtroom 102 before Magistrate Judge Mary K. Dimke. (PH, Case Administrator) (Entered: 02/02/2017)
02/03/2017	4		Oral MOTION for Detention by USA as to Bandir Al–Thani (1). (PH, Case Administrator) (Entered: 02/03/2017)
02/03/2017	<u>5</u>	7	ASSERTION OF FIFTH AND SIXTH AMENDMENT RIGHTS by Bandir Al–Thani (1). (MO, Courtroom Deputy) (Entered: 02/03/2017)
02/03/2017	<u>7</u>	8	ACKNOWLEDGMENT OF NOTICE OF RIGHTS by Bandir Al–Thani (1). (MO, Courtroom Deputy) (Entered: 02/03/2017)
02/03/2017	<u>8</u>	10	WAIVER of Rule 5 Hearings by Bandir Al–Thani (1). (MO, Courtroom Deputy) (Entered: 02/03/2017)
02/03/2017	9		ORDER APPOINTING FEDERAL DEFENDER as to Bandir Al–Thani (1). On the basis of the sworn financial statement, the court finds Defendant is financially unable to retain counsel. IT IS ORDERED the Federal Defenders of Eastern Washington are appointed to represent Defendant pursuant to Title 18 United States Code Sec. 3006A Appointed Federal Public Defender – YAK for Bandir Al–Thani – Text entry; no PDF document will issue. This text–only entry constitutes the court order on the matter. Signed by Magistrate Judge Mary K. Dimke. (KB,) (Entered: 02/03/2017)
02/03/2017	<u>10</u>	12	Minute Entry for proceedings held before Magistrate Judge Mary K. Dimke: Initial Appearance in Rule 5 Proceedings as to Bandir Al–Thani (1) held on 2/3/2017. (Reported/Recorded by: FTR/Y–102) (PH, Case Administrator) (Entered: 02/03/2017)
02/03/2017	<u>11</u>	13	ORDER Following Initial Appearance, Granting the United States' 4 Motion for Detention, and Directing Removal as to Bandir Al–Thani (1). Signed by Magistrate Judge Mary K. Dimke. (MO, Courtroom Deputy) (Entered: 02/03/2017)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 02, 2017

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
BANDIR AL-THANI,)
)
)
Defendant.)
_____)

No. 1:17-MJ-04013-MKD

Received Rule 5 papers from the United States District Court,
Western District of Washington, case number CR15-0001MJP

PROB 12C-WAR
(01/13)

UNITED STATES DISTRICT COURT

for

Western District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Bandir Al-Thani **Case Number:** CR15-00011MJP
Name of Judicial Officer: The Honorable Marsha J. Pechman, U.S. District Judge
Date of Original Sentence: 11/14/2008 **Date of Report:** May 26, 2016
Original Offense: Drug Conspiracy; Criminal Forfeiture
Original Sentence: 84 months imprisonment; 5 years supervised release
Type of Supervision: Supervised Release **Date Supervision Commenced:** 05/02/2014
Assistant U.S. Attorney: Kate Vaughan **Defense Attorney:** Mohammad Ali Hamoudi
Special Conditions Imposed:
☒ Substance Abuse ☒ Financial Disclosure ☐ Restitution:
☒ Mental Health ☐ Fine ☐ Community Service
☒ Other: Cooperate in the collection of DNA, submit to search, no new credit, and shall not possess a firearm.

PETITIONING THE COURT

- ☒ To issue a warrant under seal
☐ To issue a summons

The probation officer believes that Bandir Al-Thani has violated conditions of supervision by:

Violation

Number Nature of Noncompliance

1. Attempting to traffic stolen property on or about May 24, 2016, in violation of a standard condition of supervised release.
2. Possessing a firearm, on or about May 24, 2016, in violation of a standard condition of supervised release.

We incorporate by reference the information contained in the attached memorandum.

U.S. Probation Officer Recommendation:

- ☒ The term of supervision should be
☒ revoked.
☐ extended for ____ years, for a total term of ____ years.
☐ The conditions of supervision should be modified as follows:
☒ Detention pending final adjudication due to
☐ risk of flight.
☒ danger to community.

The Honorable Marsha J. Pechman, U.S. District Judge
Petition for Warrant or Summons for Offender Under Supervision

Page 2 of 2
May 26, 2016

I swear under penalty of perjury that the foregoing is true and correct.
Executed on this 8th day of May, 2016.


APPROVED:

Connie Smith
Chief U.S. Probation and
Pretrial Services Officer



Lonnie G. Kaman
U.S. Probation Officer

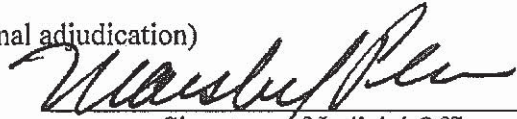
BY:



Michael R. Markham
Supervising U.S. Probation Officer

THE COURT FINDS PROBABLE CAUSE AND ORDERS:

- ☐ No Action Approved
☒ The Issuance of a Warrant under seal
(conditions of supervision shall remain in effect pending final adjudication)
☐ The Issuance of a Summons
(conditions of supervision shall remain in effect pending final adjudication)
☐ Other



Signature of Judicial Officer

May 26, 2016

Date

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Western District of Washington

United States of America

v.

Bandir J. Al-Thani

Defendant

Case No. CR15-11 MJP

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Bandir J. Al-Thani,
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☒ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Violation of conditions of supervised release.

Date: 05/26/2016

City and state: Seattle, WA



Issuing officer's signature

Paula McNabb, Deputy Clerk

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
FEB 03 2017
GEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
)
Plaintiff,) 1:17-MJ-4013-MKD
)
vs.) Defendant's Assertion of
) Fifth and Sixth Amendment
BANDIR AL-THANI,) Rights
)
Defendant.)
_____)

TO: MICHAEL C. ORMSBY, UNITED STATES ATTORNEY

I, the above-named defendant, hereby assert my rights under the Fifth and Sixth Amendments of the United States Constitution, including but not limited to my rights to remain silent and to have counsel present at any and all of my interactions with the government or others acting on the government's behalf. I do not wish to, and will not, waive any of my constitutional rights except in the presence of counsel. I do not wish to have, nor do I consent to, any contact with any government official, including but not limited to law enforcement agents, except through my counsel. I do not want the government or others acting on the government's behalf to question me, or to contact me seeking a waiver of any rights, unless my counsel is present. The Government should so instruct its agents.

DATED this 3rd day of February, 2017.

Respectfully Submitted,


DEFENDANT

Defendant's Assertion of
Fifth and Sixth Amendment Rights

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
FEB 03 2017
SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BANDIR AL-THANI,

Defendant.

ACKNOWLEDGMENT OF NOTICE
OF RIGHTS

Magistrate Docket No.

1:17-MJ-4013-MKD

The undersigned defendant does hereby acknowledge: I appeared before a United States Magistrate Judge this date and have been advised as follows:

1) Of the charge or charges placed against me and the maximum penalty provided by law, and I acknowledge receipt of a copy of the Supervised Release Violation Report, which specifically sets forth the allegations;

2) That I have been advised of the maximum penalty provided by law;

3) My right to remain silent at all times and if I make a statement it can be used against me;

4) My right to retain my own counsel, and if I am without funds, to have counsel appointed to represent me in this matter;


5) My right to a hearing before the judicial officer where the Supervised Release was imposed and to be confronted by the government's witnesses, and I am entitled to have witnesses attend on my behalf;

6) My right to a hearing on the warrant for removal to ascertain that I am the person named in the Violation Report or if I wish I can waive this hearing in writing;

ACKNOWLEDGMENT OF NOTICE OF RIGHTS
RULE 5/SUPERVISED RELEASE CONDITIONS

1
2 7) That if the United States moves for a detention hearing, it must be held within three days
3 and that I have the right to be represented by counsel at such hearing, but that the United States has
4 determined to defer asking for a detention hearing until my first appearance in the charging district.

5 Dated this 3rd day of February, 2017
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8 Defendant
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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
FEB 03 2017
SEAN P. McAVOY, CLERK
DEPUTY
FBI, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

BANDIR AL-THANI,

Defendant.

MJ- 17-4013-MKD

WAIVER OF RULE 5 HEARINGS

The undersigned defendant does hereby acknowledge: I appeared on this date in the Eastern District of Washington, was advised of the charge(s) pending against me in the prosecuting district, and was informed of my rights to:

(1) remain silent, knowing that if I make a statement, it can be used against me; (2) retain counsel or have counsel appointed for me; (3) an identity hearing to determine if I am the person sought by the prosecuting district; and (4) plead guilty to the charge in this district, if I and the United States Attorneys in this district and in the requesting district agree.

If this matter is proceeding by **COMPLAINT**:

I WAIVE (GIVE UP) MY RIGHT TO A(N)

- () identity hearing in this district
- () preliminary examination in this district
- () bail hearing in this district

If this matter is proceeding by **INDICTMENT**:

I WAIVE (GIVE UP) MY RIGHT TO A(N)

- () identity hearing in this district
- () bail hearing in this district

1 If this matter is proceeding by PETITION:

2 I WAIVE (GIVE UP) MY RIGHT TO A(N)

3 (☒) identity hearing in this district
4 (☒) probable cause hearing in this district
5 (☒) bail hearing in this district


6 If this matter is proceeding by WARRANT:

7 I WAIVE (GIVE UP) MY RIGHT TO A(N)

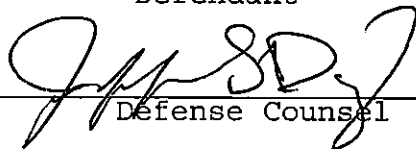
8 () identity hearing in this district
9 () bail hearing in this district

10 and, therefore, consent to the issuance of an order requiring my
11 appearance in the prosecuting district where the charge is pending
12 against me.

13 As to those hearings which are waived in this district, other
14 than the identity hearing, I RESERVE the right to have those
15 hearings in the prosecuting district.

16 
17 Defendant

18 2/3/17
19 Date

20 
21 Defense Counsel

22 Interpreted by (if applicable):

23 _____
24 (Sign and Print Name)
25
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United States District Court, Eastern District of Washington
Magistrate Judge Mary K. Dimke
Yakima

USA v. BANDIR AL-THANI

Case No. 1:17-MJ-04013-MKD-1

Rule 5 Initial Appearance on Supervised Release Violation 02/03/2017
Petition:

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Pam Howard, Courtroom Deputy [Y]
<input checked="" type="checkbox"/> Carrie Valencia, Phil Casey & Linda Leavitt, US Probation / Pretrial Services Officer
<input checked="" type="checkbox"/> Defendant present in custody USM | <input checked="" type="checkbox"/> Benjamin Seal, US Atty
<input checked="" type="checkbox"/> Jeffrey Dahlberg, Defense Atty
<input checked="" type="checkbox"/> Interpreter NOT REQUIRED |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> USA Orally Motion for Detention
<input type="checkbox"/> USA not seeking detention
<input checked="" type="checkbox"/> Financial Affidavit (CJA 23) filed
<input checked="" type="checkbox"/> The Court will appoint the Federal Defenders
<input type="checkbox"/> Based upon conflict with Federal Defenders, the Court will appoint a CJA Panel Attorney
<input type="checkbox"/> Conditions of Release Imposed
<input type="checkbox"/> 199C Advice of Penalties/Sanctions
<input type="checkbox"/> Ordered Release on Personal Recognizance; 199C Not Required | <input checked="" type="checkbox"/> Rights given
<input checked="" type="checkbox"/> Acknowledgment of Rights filed
<input checked="" type="checkbox"/> Defendant received copy of charging document
<input type="checkbox"/> Defendant waived reading of charging document
<input type="checkbox"/> Charging document read in open court
<input type="checkbox"/> Pre-Trial Services Report ordered
<input checked="" type="checkbox"/> Waiver of Rule 5 Hearings filed
<input checked="" type="checkbox"/> Court Ordered Removal to Charging District |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REMARKS

Defendant appeared and was assisted by counsel and advised of their rights and the allegations contained in the charging document.

The Court ordered:

1. REMOVAL of the defendant to the charging district.
2. Defendant shall be detained by the U. S. Marshal until further order of the Court.

Identity Hrg:	<i>Waived by Defendant</i>
Bail Hrg:	<i>Waived by Defendant; USA's Motion for Detention is granted.</i>
Probable Cause Hrg:	<i>Waived by Defendant</i>

Feb 03, 2017

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BANDIR AL-THANI,

Defendant.

No. 1:17-MJ-4013-MKD-1

ORDER FOLLOWING INITIAL
APPEARANCE, GRANTING THE
UNITED STATES' MOTION FOR
DETENTION, AND DIRECTING
REMOVAL

ECF No. 4

*****Action Required*****

On Friday, February 03, 2017, the Defendant made an initial appearance on a supervised release petition (ECF No. 02, violations 1-2) issued in the Western District of Washington, pursuant to Fed. R. Crim. Pro. 5. The Defendant appeared, in custody, with Assistant Federal Defender Jeffrey Dahlberg. Assistant United States Attorney Benjamin Seal represented the United States.

Defendant was advised of, and acknowledged the charges against him and the penalties he faces.

ORDER FOLLOWING INITIAL APPEARANCE, GRANTING THE UNITED STATES'
MOTION FOR DETENTION, AND DIRECTING REMOVAL- 1

1 Defendant was advised of, and acknowledged Defendant's rights.

2 The Office of the Federal Defenders was appointed to represent the
3 Defendant.

4 The United States moved for detention (ECF No. 04). The Defendant
5 personally and through his counsel waived his right to a detention hearing.

6 Defendant personally and through counsel waived his right to an identity
7 hearing and a preliminary hearing in this district.

8 **IT IS ORDERED:**

9 1. The Government's Motion for Detention (**ECF No. 04**) is **GRANTED**.

10 2. Defendant is committed to the custody of the United States Marshals for
11 detention until further order of the court, and for removal as soon as
12 reasonably possible to the Western District of Washington.

13 3. Defendant shall be made reasonably available for communication with
14 court-appointed counsel.

15 4. Until appointment of counsel in the charging district, all notices shall be
16 sent to the Federal Defenders of Eastern Washington, 306 East Chestnut
17 Ave., Yakima, WA 98901.

18 DATED February 3, 2017.

19 s/Mary K. Dimke

MARY K. DIMKE

20 UNITED STATES MAGISTRATE JUDGE